

# *The Village of Northfield*

## *Agenda*

Regular Council Meeting

*November 11, 2015*

### **Pledge of Allegiance**

**Call to order;      Roll call;      Approval of Minutes**

### **Presentation of Petitions, Memorials and Remonstrances**

### **Reports of Municipal Officers:**

Jesse J. Nehez, Mayor  
Timothy Clymer, Finance Director  
Richard Wasosky, Engineer  
Bradric Bryan, Law Director

### **Department Heads:**

Police Chief Mark Wentz  
Fire Chief Jason Buss  
Service/Bld.Supt. Jason Walters

### **Reports of Municipal Boards and Commissions:**

Planning Commission, Alan Hipps  
Recreation Board, Mayor Nehez  
Cemetery Board, Beatrice Greenlee

### **Reports of Standing Committees:**

Finance, Linda Bowen  
Roads/Public Works, Jim Daugherty  
Health and Welfare, Gary Vojtush  
Wages and Working Conditions, Nick Magistrelli  
Fire and Safety, Beatrice Greenlee  
Buildings and Grounds, Alan Hipps

### **Legislation:**

**Ordinance 2015-70** An Emergency Ordinance Amending Chapter 618 of the Criminal Code Relating to Animals.

### **Old Business; New Business; Announcements; Adjournment**

**VILLAGE OF NORTHFIELD ORDINANCE NO. 2015-70**

**AN EMERGENCY ORDINANCE AMENDING CHAPTER 618 OF THE CRIMINAL CODE RELATING TO ANIMALS**

WHEREAS, the Police Department has requested that Chapter 618 of the Criminal Code relating to animals be updated to make it fit the current needs of the Community and Department and help the Department operate in a more practical and efficient manner with respect to these issues; and

WHEREAS, based upon the above, Council desires amend Chapter 618 of the Criminal Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby amends Chapter 618 of the Criminal Code, as is indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the Codified Ordinances of the Village of Northfield shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were rendered in an open meeting of this Council and were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it is necessary to update this section of the Code in order to improve the efficiency of the Police Department. This Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Bea Greenlee, President Pro-Tem of Council

\_\_\_\_\_  
Jesse J. Nehez, Mayor

Approved as to Legal Form.

\_\_\_\_\_  
Bradric T. Bryan, Director of Law

I, Timothy Clymer, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Timothy Clymer, Clerk of Council

**CHAPTER 618**  
**Animals**

\* \* \*

**618.07 BARKING OR HOWLING DOGS.**

(a) No person shall own, harbor or keep in custody a dog which disturbs the peace by barking, yelping, howling or making other loud noises to the annoyance and/ or discomfort of any person. Continuous barking, yelping, howling or making other loud noises for 15 consecutive minutes by such dog, whether confined within a residence or building or to the outside area, shall be deemed to have disturbed the peace and to have caused the annoyance and discomfort of persons; provided, that at the time of the complaint, no person or persons were trespassing or threatening to trespass upon the private property of the owner, and provided that the dog was not being teased or provoked in any manner .

(b) Any person who shall allow any dog habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure owned or occupied by such person shall be considered as harboring or keeping such dog.

(c) Upon an initial complaint, an enforcement officer shall warn the person in writing of the violation. Upon a second such complaint within ~~30 days~~ one year, the enforcement officer shall charge the person with a violation of this section.

(d) Division (a) of this section does not apply to owners, operators or employees of licensed veterinary hospitals, licensed kennels, or licensed animal boarding establishments, nor does it apply to blind, deaf or hearing impaired, or mobility impaired persons when the dog serves as an assistance dog.

(e) Whoever violates this section is guilty of a minor misdemeanor.

\* \* \*

**618.14 UNSANITARY CONDITIONS.**

(a) No owner, harborer or keeper of ~~a dog~~ an animal shall permit filth or offal to emanate therefrom to the detriment of the health or comfort of any other person or the public.

~~Any person affected thereby may make a report thereof to any police officer of the Municipality who thereupon shall make a prompt investigation regarding such complaint and file a written report thereof to the Mayor.~~

~~Thereupon, if the facts warrant it, the Mayor may direct the Administrative Clerk to forthwith issue to any police officer a written notice to serve upon such owner or keeper to abate or remove such offensive condition found so existing within 24 hours from the time of service of such notice.~~

(b) Any person who shall allow any animal habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure owned or occupied by such person shall be considered as harboring or keeping such animal.

(c) Upon an initial complaint, an enforcement officer shall warn the person in writing of the violation. Upon a second such complaint within one year, the enforcement officer shall charge the person with a violation of this section.

~~(b)~~ (d) Whoever violates this section is guilty of a minor misdemeanor.

~~618.15~~ ~~VIOLATIONS AS NUISANCES.~~

~~(a) Any animal which, by biting or frequent and habitual barking, howling or yelping, or in any other way or manner, injures or disturbs the quiet of any person or the community, or disturbs or endangers the comfort, repose or health of persons, is hereby declared to be creating a nuisance. No owner or person having custody of such animal shall harbor such animal or permit it to commit such nuisance.~~

~~(b) Whoever violates this section is guilty of a minor misdemeanor.~~